

**STATE OF INDIANA – COUNTY OF NEWTON
IN THE NEWTON CIRCUIT AND SUPERIOR COURTS**

**NOTICE OF PROPOSED AMENDMENT OF LOCAL RULE FOR A
CASELOAD ALLOCATION PLAN FOR THE COURTS OF RECORD
OF NEWTON COUNTY
JUNE 1, 2012**

In accordance with Administrative Rule 1(E) of the Indiana Court Rules, the Newton Circuit and Superior Courts hereby given notice to the bar and the public that the Courts propose to amend the Local Rule setting forth the caseload allocation plan for the courts of record of Newton County, effective January 1, 2013. All new text is shown by underlining and deleted text is shown by ~~striketrough~~. Local Rules for caseload allocation plans pursuant to Admin. R.1(E) require Supreme Court approval and may not take effect until approved by the Supreme Court.

In accordance with Trial Rule 81(B), the time period for the bar and the public to comment shall begin on June 1, 2012 and shall close on June 30, 2012. The proposed amendment to the rule will be adopted, modified or rejected before July 31, 2012 and the final version of the rule will be submitted to the Indiana Supreme Court for review and approval not later than August 1, 2012.

Comments by the bar and the public should be made in writing and mailed to:

Honorable Jeryl F. Leach at P.O. Box 101, Kentland, Indiana 47951 and
Honorable Daniel J. Molter at P.O. Box 143, Kentland, Indiana 47951.

A paper copy of the proposed amended local rule for Caseload Allocation Plan will be made available for viewing in the office of the Clerk of Newton County, Newton County Courthouse at 201 N. Third Street, Kentland, Indiana during normal business hours. Persons with Internet access may view the proposed amended local rule for Caseload Allocation Plan at the following website:

www.newtoncounty.in.gov/courtsclerk

Jeryl F. Leach, Judge
Newton Circuit Court

Daniel J. Molter, Judge
Newton Superior Court

LR-56-15. General Rules (Ind.TR.81).

15. Caseload Allocation Plan

- (A) Criminal Caseload Allocation Plan
All Adult Criminal and Juvenile Delinquency cases shall be filed pursuant to LR-56-8.
- (B) Civil Caseload Allocation Plan
 - (1) All cases designated by statute to be filed in a particular Court shall be filed in the Court so designated by statute.
 - (2) All Traffic cases shall be filed in the Superior Court.
 - (3) Any Ordinance Violation cases may be filed in Circuit or Superior Court.
 - (4) All Juvenile cases shall be filed in Circuit Court.
 - (5) All Civil Collection ~~and Civil Miscellaneous~~ cases ~~should~~ **shall** be filed in Circuit Court.
 - (6) All Protective Order cases shall be divided equally by the Clerk, between Circuit and Superior Court.
 - (7) All Small Claims cases shall be filed in Circuit Court.
 - (8) All other Civil cases may be filed as has been traditional in either Circuit or Superior Court.
- (C) Review of Caseload allocation plans
The Judges of Circuit and Superior Courts shall review the new case filings each quarter to determine if any disparity in Court caseloads exist and if any adjustments need to be made to the above Allocation Plans.